

APR 20 2023

LAURA A. AUSTIN, CLERK
BY: *[Signature]*
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION
APRIL 2023 SESSION

UNITED STATES OF AMERICA)	Criminal No. <u>7:23cr22</u>
)	
v.)	<u>SEALED INDICTMENT</u>
)	
JULIUS FREDERICK MUSE, III,)	In violation of:
)	21 U.S.C. § 841(a)(1), (b)(1)(C)
<i>Defendant.</i>)	18 U.S.C. § 924(c)(1)(A)
)	18 U.S.C. § 922(d)(1)
)	18 U.S.C. § 922(k)
)	18 U.S.C. §§ 2, 922(a)(6)

COUNT ONE

The Grand Jury charges:

1. On or about January 10, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly and intentionally distributed a measurable quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.
2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT TWO

The Grand Jury further charges:

1. On or about January 18, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly and intentionally distributed a measurable quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.
2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT THREE

The Grand Jury further charges:

1. On or about January 18, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly possessed a firearm, to wit, a Polymer 80 9mm privately made firearm, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, as set forth in Count Two of the Indictment.
2. All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FOUR

The Grand Jury further charges:

1. On or about January 19, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly sold a firearm, to wit, a Polymer 80 9mm privately made firearm, to INDIVIDUAL 1, knowing and having reasonable cause to believe that INDIVIDUAL 1 had been convicted of a crime punishable by imprisonment for a term exceeding one year.
2. All in violation of Title 18, United States Code, Section 922(d)(1).

COUNT FIVE

The Grand Jury further charges:

1. On or about February 1, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly sold firearms, to wit:
 - A Taurus G2C .40 S&W pistol
 - A Taurus G2S 9mm pistol

to INDIVIDUAL 1, knowing and having reasonable cause to believe that INDIVIDUAL 1 had been convicted of a crime punishable by imprisonment for a term exceeding one year.

2. All in violation of Title 18, United States Code, Section 922(d)(1).

COUNT SIX

The Grand Jury further charges:

1. On or about February 1, 2023, at a different time than the events of Count Five, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly sold firearms, to wit:

- A DPMS A15 5.56 mm pistol
- A Colt Frontier Scout 62 .22 caliber pistol

to INDIVIDUAL 1, knowing and having reasonable cause to believe that INDIVIDUAL 1 had been convicted of a crime punishable by imprisonment for a term exceeding one year.

2. All in violation of Title 18, United States Code, Section 922(d)(1).

COUNT SEVEN

The Grand Jury further charges:

1. On or about March 3, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly sold firearms, to wit:

- A Glock 17 9mm pistol
- A German Sports Guns GSG-16 .22-caliber rifle

to INDIVIDUAL 1, knowing and having reasonable cause to believe that INDIVIDUAL 1 had been convicted of a crime punishable by imprisonment for a term exceeding one year.

2. All in violation of Title 18, United States Code, Section 922(d)(1).

COUNT EIGHT

The Grand Jury further charges:

1. On or about March 16, 2023, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, knowingly possessed a firearm, that is, a Hi-Point C9 9mm pistol, that had been shipped and transported in interstate commerce, from which the manufacturer's serial number had been removed, altered, and obliterated.

2. All in violation of Title 18, United States Code, Section 922(k).

COUNT NINE

The Grand Jury further charges:

1. On or about September 5, 2022, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, along with J.D., in connection with the acquisition of a firearm, a Taurus G3C 9mm pistol, from Safeside Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did knowingly counsel, command, induce, and procure the execution of an ATF Form 4473 (Firearms Transaction Record), to the effect that J.D. was the actual buyer of the firearm, when in fact as JULIUS FREDERICK MUSE, III then knew, J.D. was not the actual buyer of the firearm.

2. All in violation of Title 18, United States Code, Sections 2 and 922(a)(6).

COUNT TEN

The Grand Jury further charges:

1. On or about December 27, 2022, in the Western District of Virginia, the defendant, JULIUS FREDERICK MUSE, III, along with R.M., in connection with the acquisition of a firearm, a Radical Firearms RF-15 7.62x39mm pistol, from Doomsday Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did knowingly counsel, command, induce, and procure the execution of an ATF Form 4473 (Firearms Transaction Record), to the effect that R.M. was the actual buyer of the firearm, when in fact as JULIUS FREDERICK MUSE, III then knew, R.M. was not the actual buyer of the firearm.

2. All in violation of Title 18, United States Code, Sections 2 and 922(a)(6).

NOTICE OF FORFEITURE

1. Upon conviction of the felony offense alleged in this Indictment, the defendant shall forfeit to the United States any firearms and ammunition involved or used in the commission of said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **Firearms**

- 1) Hi-Point (Strassel's Machine Inc.) C9 9mm pistol, obliterated serial number
- 2) All ammunition, magazines, and accessories associated with this firearm

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

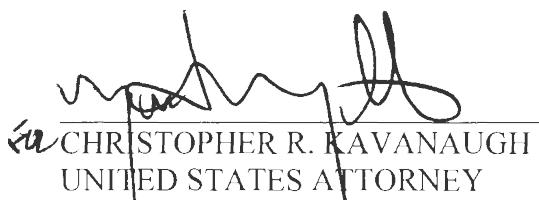
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL this 20th day of April, 2023.

/s/Foreperson
FOREPERSON



CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY